IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 20369 of 2007(Y)

PETITIONER:

KRISHNANKUTTY, S/O.PARANGODAN,
AGED 54 YEARS, KUNDRAMBI HOUSE, UMMINEZHY,
SREEKRISHNAPURAM, PALAKKAD.

BY ADV. SRI.VINOD KUMAR.C

RESPONDENTS:

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1. STATE OF KERALA, REP. BY CHIEF SECRETARY, THIRUVANANTHAPURAM.

2. DIRECTOR OF PANCHAYATH, THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR OF PANCHAYATH, CIVIL STATION, PALAKKAD.

4. SECRETARY, GRAMA PANCHAYATH, MANNARKKAD, PALAKKAD.

R1 TO R4 BY GOVERNMENT PLEADER SRI.P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.20369 of 2007 Y

Dated this the 3rd day of July, 2007.

JUDGMENT

The petitioner is an Upper Division Clerk working in Thenkara Grama Panchayath. It is a new panchayath formed by bifurcating Mannarkkad Grama Panchayath. Earlier, the petitioner was working in Mannarkkad Grama Panchayath. Pursuant to the bifurcation, some of the staff working in the parent panchayath, including the petitioner, were allotted to the newly formed panchayath. Being aggrieved by this posting, the petitioner preferred Ext.P3 representation before the Director of Panchayaths. The petitioner approached this court with W.P.(C)No.34575/06 seeking a direction for disposal of Ext.P3 representation. This court directed the said officer to consider the representation by Ext.P4 judgment. His representation was considered and disposed of by Ext.P5 order stating that the grievance raised by the petitioner in Ext.P3 will be considered at the time of general transfer of the employees of the Panchayath Department. Now, this writ petition is filed seeking a writ of mandamus directing the respondents to transfer the petitioner from Thenkara Grama Panchayath to Mannarkkad Grama Panchayath. A further direction is sought for to implement the decision contained in Ext.P5.

2. Since the transfer is made to a neighbouring panchayath, no serious prejudice is caused to the writ petitioner by the said transfer. Since the 2nd respondent has held out a promise to consider the grievance of the petitioner at the next general transfer, the same shall be done if the general transfer is not already over. The 2nd respondent shall inform the petitioner why he was not transferred, if the general transfer is already completed.

Writ petition is disposed of as above.

Sd/-

(K.BALAKRISHNAN NAIR)
JUDGE

sk/

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P.S. To Judge